

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

AUG 25 2000

CREDIT & DEBIT MANAGEMENT  
Group ~~SECRET~~ OMD

OFFICE OF  
MANAGING DIRECTOR

86-285

Michael J. Tracy, President  
Tracy Broadcasting Corporation  
P.O. Box 1263  
Scottsbluff, Nebraska 69363-1263

RE: Request for Waiver of  
Regulatory Fees FY 1999  
KBFZ-FM  
Fee Control No. 9909228835110005

Dear Mr. Tracy:

This is in response to the request for waiver of the Fiscal Year (FY) 1999 regulatory fee filed on behalf of Tracy Broadcasting Corporation, licensee of KBFZ-FM.

You request a waiver reducing the fee for KBFZ from the amount assessed on a construction permit authorization to the fee assessed for a licensed facility authorization. In your request, you state that you submitted the FCC Form 302, Application for FM Broadcast Station License, on October 13, 1998, but that the license had not yet been granted at the date of your request, September 19, 1999. You argue that you should nevertheless be assessed the fee for a licensed facility because you feel the Commission did not grant your license on a timely basis and therefore you should not be required to pay the higher fee associated with a construction permit.

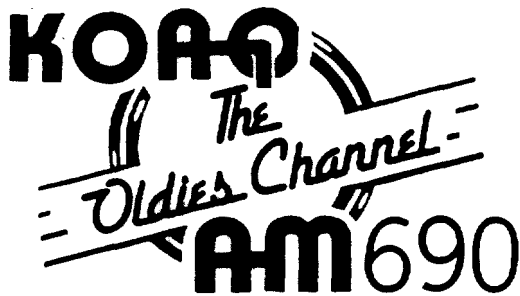
The Commission assesses regulatory fees for broadcast stations based on the authorization held at the beginning of the fiscal year, for FY 1999, October 1, 1998. *See Assessment and Collection of Regulatory Fees for Fiscal Year 1999*, 63 FR 35831 (Jul. 1, 1999), para. 59. Your payment of the FY 1999 regulatory fee associated with a construction permit authorization was proper. On October 1, 1998, the authorization held for KBFZ was the construction permit and the application for license had not yet been submitted. Therefore, your request for waiver and reduction is denied.

If you have any questions concerning this letter, please call the Credit & Debt Management Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer



(308) 635-2690  
FAX (308) 635-1905

P.O. Box 1263 • Scottsbluff, Nebraska 69363-1263

September 19, 1999

Office of the Managing Director  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 1-A625  
Washington, D.C.  
20554

Re: KBFZ-FM

Dear Sir:

I am contacting you in connection with the Mass Media Regulatory Fee for KBFZ-FM.

Tracy Broadcasting Corporation is licensee of this facility. On October 5, 1998 the FCC was notified of the commencement of program tests on KBFZ-FM. Then on October 13, 1998, FCC Forms 302 were filed along with FCC Form 159 and the appropriate fee in the amount of \$150.00. Those items and documents were received by the FCC on October 14. Copies of all supporting documentation is enclosed with this letter.

Now, it is nearly a year later and our company is asked to pay the fee due on a station that is covered by a construction permit, rather than the fee that would be paid by a licensed facility. That the license was not issued on a timely basis is not a reason that this company should be penalized in the amount of \$130.00. The fee difference amounts to \$130.00 (\$780.00 construction permit fee less the appropriate licensed station fee amount of \$650.00). I am requesting a waiver of the fee for a station construction permit holder and ask that I be permitted to pay the appropriate amount for a licensed facility, in this case \$650.00.

The fee in the amount of \$780.00 will be submitted on a timely basis. Your favorable consideration of this request for a waiver would be appreciated. Should you have any further questions or need anything further in connection with this matter, please don't hesitate to contact me at your convenience.

Sincerely,



Michael J. Tracy  
President  
Tracy Broadcasting Corporation

cc: Audrey Rasmussen, Esq.

O'CONNOR & HANNAN, L.L.P.  
ATTORNEYS AT LAW

SUITE 800  
1919 PENNSYLVANIA AVENUE N.W.  
WASHINGTON, D.C. 20006-3483  
(202) 887-1400  
FAX (202) 466-2198

Audrey P. Rasmussen  
Direct Dial (202) 887-1431  
Internet: apr@oh-mail.com

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705 SOUTH SECOND AVENUE  
700 SAKER BUILDING  
MINNEAPOLIS, MN 55402  
TEL (612) 341-3800  
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MADRID OFFICE  
LA RINCONADA 6, 3º  
28023 MADRID, SPAIN  
TEL (91) 341 575-0844  
TEL (91) 341 357-2251  
FAX (91) 341 577-0759

October 13, 1998

Federal Communications Commission  
c/o Mellon Bank  
Three Mellon Bank Center  
525 William Penn Way  
27th Floor, Room 153-2713  
P.O. Box 358195  
Pittsburgh, PA 15251-5195

Re: Mass Media Bureau; Tracy Broadcasting  
Corporation, Application for FM Broadcast Station  
License - Kimball, Nebraska

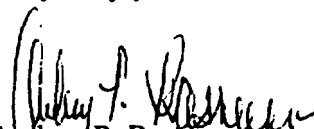
To Whom It May Concern:

Transmitted herewith, on behalf of Tracy Broadcasting Corporation and pursuant to §73.1620 of the Commission's Rules, is an original and two copies of FCC Forms 302 for FM Non-directional Antenna System.

The applicant has included a check payable to the FCC in the amount of \$150.00 for the required filing fees.

Any questions concerning the enclosed material may be directed to this office.

Very truly yours,

  
Audrey P. Rasmussen

APR:gln  
Enclosures

O'CONNOR & HANNAN, L.L.P.  
ATTORNEYS AT LAW

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TEL (341) 857-8251  
FAX (341) 877-0798

October 5, 1998

RECEIVED  
OCT 5 - 1998  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau  
Federal Communication Commission  
1919 M Street, N.W., Room 302  
Washington, D.C. 20554

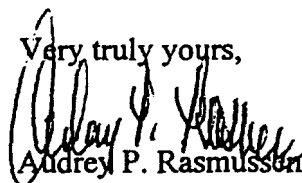
Re: Mass Media Bureau, Tracy Broadcasting  
Corporation, KBFZ (FM), Kimball, Nebraska,  
BMPH 980219JA, FM Broadcast Station License

Dear Ms. Blair:

This letter, on behalf of Tracy Broadcasting Corporation, and pursuant to §73.1620 on the Commission's Rules, is notice to the Commission that the above-referenced facility, which is a non-directional FM station, has begun program tests. It will also, within 10 days of this date, file with the Commission an application on FCC Forms 302, for an FM Broadcast Station License.

Any questions concerning this matter may be directed to this office.

Very truly yours,

  
Audrey P. Rasmussen

APR:gln

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# Payment Transactions Detail Report

Date: 11/08/1999

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
9909228835110005	TRACY BROADCASTING CORPORATION PO BOX 532 2002 CHAR AVENUE SCOTTSBLUFF NE 69363	WP00014853	0470574557	9/21/1999 00:00:0							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$5,488.00	\$5,488.00	6	MNF9	1	KASXFM	TRACY BROADCASTING CORPORATION	69363		\$780.00	1	PMT
\$5,488.00	\$5,488.00	7	MNF9	1	KAWQFM	TRACY BROADCASTING CORPORATION	69363		\$780.00	1	PMT
\$5,488.00	\$5,488.00	5	MNF9	1	KBFZFM	TRACY BROADCASTING CORPORATION	69363		\$780.00	1	PMT
\$5,488.00	\$5,488.00	1	MFI9	1	KMORFM	TRACY BROADCASTING CORPORATION	69363		\$1,350.00	1	PMT
\$5,488.00	\$5,488.00	11	MUB9	1	KNFD504	TRACY BROADCASTING CORPORATION	69363		\$12.00	1	PMT
\$5,488.00	\$5,488.00	3	MDB9	1	KOAQAM	TRACY BROADCASTING CORPORATION	69363		\$450.00	1	PMT
\$5,488.00	\$5,488.00	4	MBB9	1	KOLTAM	TRACY BROADCASTING CORPORATION	69363		\$650.00	1	PMT
\$5,488.00	\$5,488.00	2	MFB9	1	KOLTFM	TRACY BROADCASTING CORPORATION	69363		\$650.00	1	PMT
\$5,488.00	\$5,488.00	8	MUB9	1	KPK346	TRACY BROADCASTING CORPORATION	69363		\$12.00	1	PMT
\$5,488.00	\$5,488.00	10	MUB9	1	WDD782	TRACY BROADCASTING CORPORATION	69363		\$12.00	1	PMT
\$5,488.00	\$5,488.00	9	MUB9	1	WQA973	TRACY BROADCASTING CORPORATION	69363		\$12.00	1	PMT
Total	11								\$5,488.00		